

## **AMENDMENTS TO THE CLAIMS**

1. (Currently Amended) An apparatus for positively identifying an item, the apparatus comprising:  
a reader configured to read a coded identifier associated with the item;  
a capture module configured to capture a visual characteristic of the item, the visual characteristic captured independent of the reading of the coded identifier; and  
a verification module configured to verify that the candidate item is associated with the coded identifier.
2. (Original) The apparatus of claim 1, further comprising an association module configured to associate the visual characteristic with a candidate item in a database.
3. (Original) The apparatus of claim 1, further comprising a confirmation module configured to confirm with a user that the candidate item is associated with the item.
4. (Original) The apparatus of claim 1, further comprising a presentation module configured to present to a user a plurality of candidate items associated with the visual characteristic of the item and allow the user to identify from the plurality of candidate items a candidate item corresponding to the item.
5. (Original) The apparatus of claim 1, further comprising a notification module configured to notify a user whether the coded identifier is associated with the candidate item.
6. (Original) The apparatus of claim 1, wherein the database is configured to associate the visual characteristic with the candidate item and the coded identifier.

7. (Original) The apparatus of claim 1, further comprising a weight module configured to identify and associate the weight of the item with the weight of the candidate item.

8. (Original) The apparatus of claim 1, wherein the visual characteristic is selected from the group consisting of color, size, shape, or texture.

9. (Currently Amended) A user interface for positively identifying an item, the user interface comprising:

an input module configured to read a coded identifier associated with the item and to capture a visual characteristic associated with the item, the visual characteristic captured independent of the reading of the coded identifier;

a controller in communication with the input module, the controller configured to receive the coded identifier and the visual characteristic from the input module, associate the visual characteristic with a candidate item in a database, and verify that the candidate item is associated with the coded identifier; and

a confirmation module in communication with the controller, the confirmation module configured to confirm that the candidate item is associated with the item.

10. (Original) The user interface of claim 9, further comprising a presentation module configured to present to a user a plurality of candidate items associated with the visual characteristic of the item and allow the user to identify from the plurality of candidate items a candidate item corresponding to the item.

11. (Original) The user interface of claim 9, further comprising a notification module configured to notify a user whether the candidate item is associated with the coded identifier of the item.

12. (Original) The user interface of claim 9, wherein the input module identifies and associates the weight of the item with the weight of the candidate item.

13. (Currently Amended) A system for positively identifying an item, the system comprising:

a checkout station comprising a reader configured to read a coded identifier of the item and a capture module configured to capture a visual characteristic of the item, the visual characteristic captured independent of the reading of the coded identifier; and  
a server in communication with the checkout station, the server comprising an association module configured to associate the visual characteristic with a candidate item in a database, and a verification module configured to verify that the candidate item is associated with the coded identifier.

14. (Original) The system of claim 13, wherein the server is remote in relation to the checkout station.

15. (Original) The system of claim 13, wherein the server communicates with a plurality of checkout stations.

16. (Currently Amended) A method for positively identifying an item, the method comprising:

reading a coded identifier associated with the item;  
capturing a visual characteristic of the item, the visual characteristic captured independent of the reading of the coded identifier;  
associating the visual characteristic with a candidate item in a database; and  
verifying that the candidate item is associated with the coded identifier.

17. (Original) The method of claim 16, further comprising confirming with a user that the candidate item is associated with the item.

18. (Original) The method of claim 16, further comprising presenting to a user a plurality of candidate items associated with the visual characteristic of the item and allowing the user to identify from the plurality of candidate items a candidate item corresponding with the item.

19. (Original) The method of claim 16, further comprising notifying a user whether the coded identifier is associated with the candidate item.

20. (Original) The method of claim 16, wherein the database is configured to associate the visual characteristic with the candidate item and the coded identifier.

21. (Original) The method of claim 16, further comprising generating a visual signature from the visual characteristic.

22. (Original) The method of claim 16, further comprising identifying and associating the weight of the item with the weight of the candidate item.

23. (Original) The method of claim 16, wherein the visual characteristic is selected from the group consisting of color, size, shape, or texture.

24. (Currently Amended) An apparatus for positively identifying an item, the apparatus comprising:

means for reading a coded identifier associated with the item;

means for capturing a visual characteristic of the item, the visual characteristic captured independent of the reading of the coded identifier;

means for associating the visual characteristic with a candidate item in a database; and

means for verifying that the candidate item is associated with the coded identifier.

25. (Original) The apparatus of claim 24, further comprising means for confirming with a user that the candidate item is associated with the item.

26. (Original) The apparatus of claim 24, further comprising means for notifying a user whether the coded identifier is associated with the candidate item.

27. (Currently Amended) An article of manufacture comprising a program storage medium readable by a processor and embodying one or more instructions executable by a processor to perform a method for positively identifying an item, the method comprising:

reading a coded identifier associated with an item;

capturing a visual characteristic of the item, the visual characteristic captured independent of the reading of the coded identifier;

associating the visual characteristic with a candidate item in a database; and

verifying that the candidate item is associated with the coded identifier.

28. (Original) The article of manufacture of claim 27, wherein the method further comprises confirming with a user that the candidate item is associated with the item.

29. (Original) The article of manufacture of claim 27, wherein the method further comprises presenting to a user a plurality of candidate items associated with the visual characteristic of the item and allowing the user to identify from the plurality of candidate items a candidate item corresponding with the item.

30. (Original) The article of manufacture of claim 27, wherein the method further comprises notifying a user whether the coded identifier is associated with the candidate item.